REMARKS

Upon entry of this amendment, claims 35-103 are pending in this application. Claims 1-34 have been cancelled without prejudice or disclaimer. New claims 35-103 are added. In view of the foregoing amendments and the following remarks, reconsideration and allowance of all the claims pending in the application are respectfully requested.

A. CLAIMS 35-58

New claims 35-58 have been added to capture features disclosed in the specification, but not previously claimed. In particular, claim 35 recites, *inter alia*, providing the one or more records and a corresponding category to a data processor, wherein the corresponding category indicates a reliability for the associated record; excluding records from subsequent processing if the corresponding category indicates that the associated record is unreliable; and processing the one or more records that have not been excluded. Claim 47 recites similar features. Jack and Stedman fail to teach or suggest these features, both alone and in combination with one another.

In an exemplary embodiment, an emissions data verification function employs predetermined criteria to ensure that reliable emissions data have been obtained for a particular vehicle (see specification page 15, lines 15-17). An indication may be given that the emissions data is unreliable for any number of reasons and the function may alert the user that the data is considered unreliable prompting the user to exclude the record from processing (see specification page 15, lines 17-21).

In contrast, Stedman is directed to a system that gathers raw emissions data and proceeds to process the emission data in response to a vehicle passing through an optical beam path (see Stedman col. 7, lines 16-19). Stedman discloses that a series of raw data samples are normalized and calibrated (see Stedman col. 9, lines 4-10). A computer then performs a least-squares regression of the calibrated constituent values to determine the percentage of the constituents in the exhaust (see Stedman col. 9, lines 7-19). Thus, Stedman's system processes all the raw data samples that are

received by the emissions testing device. Stedman fails to teach or suggest excluding records from subsequent processing if the corresponding category indicates that the associated record is unreliable; and processing the one or more records that have not been excluded.

Rather, Stedman discloses that, after processing, a reading from a water sensor showing large amounts of water droplets can be used as a flag to indicate that the corresponding readings from the hydrocarbon sensor are probably inaccurate and should be ignored (see Stedman col. 9, line 65-col. 10, line 2). Thus, at best, Stedman's system provides the option to ignore data, after the data has been processed. Stedman does not actually exclude any data from any processing. As a result, Stedman is deficient, because Stedman fails to teach or suggest excluding records from subsequent processing if the corresponding category indicates that the associated record is unreliable; and processing the one or more records that have not been excluded.

B. **CLAIMS 59-87**

New claims 59-87 have been added to capture features disclosed in the specification, but not previously claimed. In particular, claim 59 recites, *inter alia*, determining license plate data from the license plate image; transferring the license plate data and the license plate image to at least one record; and enabling the at least one record to be edited. Claims 73 and 87 recite similar features. Jack and Stedman fail to teach or suggest these features, both alone and in combination with one another.

In an exemplary embodiment, a tag editor may be employed to verify license plate numbers generated by a human operator or by an optical character reader (see specification page 8, lines 15-17). A tag editor may also be employed to code traffic patterns that pass a remote sensing device (see specification page 8, lines 20-21). An operator may use the tag edit function to enter and edit license plate numbers and license plate types (see specification page 12, lines 15-18 and page 13, lines 4-6).

In contrast, Stedman discloses that either a human operator or an optical character recognizer determines a license plate number (see Stedman col. 5, lines 1-5).

Stedman does not disclose transferring the license plate data and the license plate image to at least one record and enabling the at least one record to be edited. Thus, Jack and Stedman, both alone and in combination with one another, fail to teach or suggest determining license plate data from the license plate image; transferring the license plate data and the license plate image to at least one record; and enabling the at least one record to be edited. As a result, Jack and Stedman are deficient, and claims 59, 73, and 87 are allowable over the references relied upon by the Examiner.

C. **CLAIMS 88-103**

New claims 88-103 have been added to capture features disclosed in the specification, but not previously claimed. In particular, claim 88 recites, *inter alia*, providing a custody log for maintaining custody information that corresponds to the at least one emissions record that corresponds to the at least one vehicle. Claims 95 and 102 recite similar features. Jack and Stedman fail to teach or suggest these features, both alone and in combination with one another.

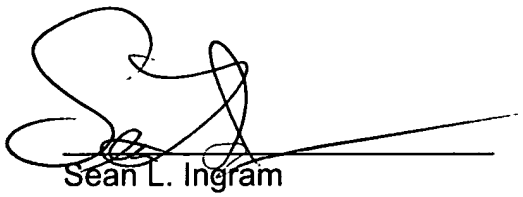
Since Jack and Stedman, both alone and in combination with one another, fail to teach or suggest the claimed invention, it is believed the claimed invention is patentable over the prior art made of record. For the foregoing reasons, reconsideration and allowance of these claims are respectfully requested.

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Dated: July 21, 2004

Respectfully submitted,



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